

Remarks/Arguments

In response to the Office Action, the Applicants offer the following remarks.

Original claims 1 to 29 were examined. Claims 1, 3 to 6, 8, 10 to 12, 18, 19, 21, 24 and 25 are currently amended. Claim 20 is cancelled. Claims 21 is amended to depend upon claim 19. Support for the amendments can be found throughout the present patent application including the drawings and claims as originally filed. The present patent application comprises twenty-eight (28) pending claims.

A. Rejections Under Sections 102 and 103

The Office Action rejects:

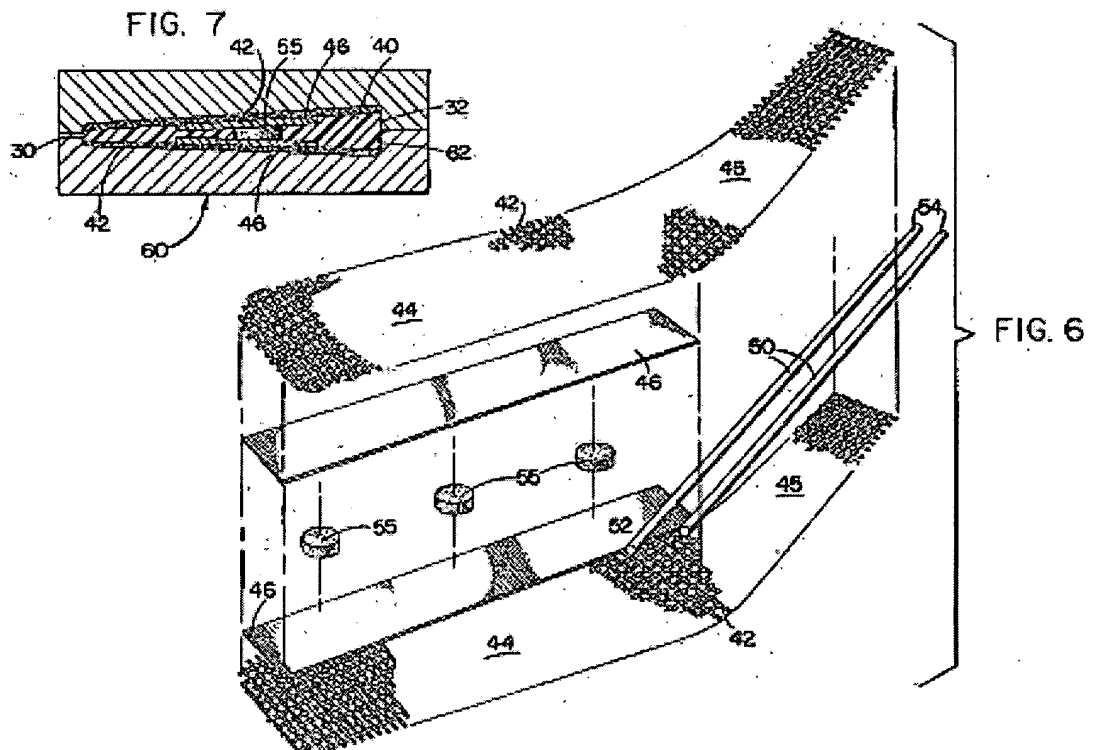
- claims 1 to 7 and 18 to 23 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent 4,358,113 (McKinnon);
- claims 8 to 11 and 24 under 35 U.S.C. §103(a) as being unpatentable (obvious) over U.S. Patent 5,407,195 (Tiitola) in view of McKinnon;
- claims 12, 13, 25 and 26 under 35 U.S.C. §103(a) as being unpatentable (obvious) over the art as applied to claims 11 and 24 and further in view of U.S. Patent 6,273,835 (Battis et al.); and
- claims 14 to 17 and 27 to 29 under 35 U.S.C. §103(a) as being unpatentable (obvious) over the art as applied to claims 13 and 26 and further in view of U.S. Patent 5,333,857 (Lallemand).

The Applicants respectfully request reconsideration of these rejections in view of the following remarks.

B. Patentability of Claims 1 to 17

According to MPEP § 706.02, in order to reject a claim under 35 U.S.C. § 102(b) as being anticipated by a reference, the Examiner must determine that such reference teaches every aspect of the claimed invention either explicitly or implicitly. Any feature not directly taught must be inherently present.

For ease of reference, Figures 6 and 7 of McKinnon are reproduced herein below:



McKinnon discloses a blade 14 having a resin core 40 with embedded outer side skins 42. Each of the skins 42 comprises a cloth sheet with a loose, web-like, open weave. The blade 14 also comprises elongated strips 46 made of thin fiberglass material that are sandwiched on the respective inner sides of the skins 42. The blade 14 further comprises spacers 55 made of a

resilient material such as a foam plastic, these spacers being interposed between the layers 46. See column 3, lines 18-32 and 47-52 of McKinnon.

A suitable resin is injected into the mold cavity 32, thereby forming the core 40 of the blade 14, the resin being dispersed throughout the webbing of the outer skins 42 and filling the space between the layers 46 provided by spacers 55. See column 4, lines 18-26 of McKinnon.

The Applicants respectfully submit that the Examiner has erred in his assertion that McKinnon teaches a blade comprising “front and rear thermoplastic sheets” since the blade 14 simply comprises a core 40 covered by skins 42 that are made of cloth sheet and in which resin is injected. The Applicants appreciate that resin is injected into the skin 42. However, the skin 42 cannot clearly be qualified as being a sheet of thermoplastic material and McKinnon is totally silent concerning the possibility of using a sheet of thermoplastic material for covering the fibers braid of the core as recited in amended claim 1.

There are no grounds for an anticipation rejection of amended claim 1 since McKinnon does not teach the following highlighted features of this claim:

1. A hockey stick blade with a shank and a blade element having a front surface and a rear surface, said hockey stick blade comprising:
 - (a) a **core made of thermo-expandable foam** and extending along a longitudinal axis;
 - (b) a **fibers braid at least partially wrapping over said core**; and
 - (c) a **sheet of thermoplastic material covering at least partially said fibers braid, said sheet of thermoplastic material forming part of one of said front and rear surfaces of said blade element.**

The Applicants therefore respectfully request withdrawal of the Examiner's rejection of amended claim 1 pursuant to 35 U.S.C. § 102(b). Because claims 2 to 17 depend from claim 1 and includes by reference all of the features recited in claim 1, these claims are also patentable.

C. Patentability of claim 18

There are no grounds for an anticipation rejection of claim 18 on the basis of McKinnon since this patent does not teach the following highlighted features of this claim:

18. A hockey stick blade with a shank and a blade element having a front surface and a rear surface, said hockey stick blade comprising (a) a **core made of thermo-expandable foam** and extending along a longitudinal axis; and (b) a **fibers braid at least partially wrapping over said core**, wherein one of said front and rear surfaces of said blade element comprises a **sheet of thermoplastic material at least partially covering said fibers braid**.

For the same reasons as those set forth with respect to claim 1, it is submitted that amended claim 18 is patentable over the cited references and withdrawal of the Examiner's rejection is respectfully solicited.

D. Patentability of claims 19 and 21 to 29

There are no grounds for an anticipation rejection of claim 19 on the basis of McKinnon since this patent does not teach the following highlighted aspects of this claim:

19. A hockey stick blade with a shank and a blade element having a front surface and a rear surface, said hockey stick blade comprising (a) a **core made of thermo-expandable foam** and extending along a longitudinal axis; and (b) a **fibers braid at least partially wrapping over said core**, wherein said front and rear surfaces of said blade element

comprises respective front and rear sheets of thermoplastic material covering at least partially said fibers braid.

Because claims 20 to 29 depend from claim 19 and includes by reference all of the features recited in claim 19, these claims are also patentable.


CONCLUSION

In view of the above amendments and remarks, it is submitted that each of pending claims 1 to 19 and 21 to 29 is in condition for allowance and the rejections under 35 U.S.C. § 102(b) and 35 U.S.C. § 103(a) should be withdrawn.

The Examiner is invited to call the Applicants' undersigned patent agent if any further amendments will expedite the prosecution of the present patent application or if the Examiner has any suggestions or questions concerning this application or the present response. If the claims are not believed to be in full condition for allowance, the Applicants respectfully request the constructive assistance and suggestions of the Examiner in drafting one or more acceptable claims pursuant to MPEP § 707.07(j) or in making constructive suggestions pursuant to MPEP § 706.03 so that the application can be placed in allowable condition as soon as possible and without the need for further proceedings.

Respectfully submitted,

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